United Nations A/C.3/53/SR.44

General Assembly
Fifty-third session

Official Records

Distr.: General
19 January 1999
English
Original: French

Third Committee

Summary record of the 44th meeting
Held at Headquarters, New York, on Thursday, 12 November 1998, at 10 a.m.

Chairman: Ms. Sandru ..... (Romania)
(Vice-Chairman)

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Agenda item 105: Report of the United Nations High Commissioner for Refugees: questions relating to refugees and displaced persons and humanitarian questions (*continued*)

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In the absence of Mr. Hachani (Tunisia), Ms. Sandru (Romania), Vice-Chairman, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 105: Report of the United Nations High Commissioner for Refugees: questions relating to refugees and displaced persons and humanitarian questions (*continued*) (A/53/12 and Add.1, A/53/325, A/53/328, A/53/413, A/53/486 and A/53/494).

1. **Mr. Ball** (New Zealand) said that New Zealand strongly supported the work carried out by the Office of the United Nations High Commissioner for Refugees (UNHCR) over the past year, in an increasingly difficult international environment, and was concerned about the erosion of "accepted principles" and the serious violations of human rights of refugees noted by the High Commissioner in her report. In that context, it welcomed the intensified cooperation between UNHCR and other agencies in the United Nations human rights system, particularly in the field.

2. New Zealand acknowledged the heavy burden borne by countries of asylum, especially developing countries, in dealing with sudden influxes of large numbers of refugees; the population movements resulting from the Kosovo crisis were merely the most recent instance. Donors must assist those countries in rebuilding their infrastructure, particularly schools and sanitation.

3. Against the backdrop of generosity and humanity on the part of developing countries, developed countries in particular must ensure that there was no erosion of "accepted principles" in the treatment of asylum-seekers. No asylum-seeker should be subjected to refoulement before a full and fair assessment had been made of his application. The international humanitarian obligations deriving from the 1951 Convention and the 1967 Protocol relating to the Status of Refugees entailed an economic cost: that cost must be accepted.

4. New Zealand's Parliament was currently considering a bill that would clarify the conditions to be met by asylum-seekers to gain refugee status, as well as the appeals process. That bill would ensure that genuine refugees had access to speedy determination procedures, and allow the authorities to deal expeditiously with unfounded applications which clogged the system and undermined public support for the institution of asylum. His Government had consulted UNHCR in drawing up the new law on refugees.

5. New Zealand was one of the few countries in the world which accepted an annual quota of refugees for resettlement, on referral from UNHCR.

6. The staff of UNHCR often worked in dangerous conditions. There was an urgent need to improve the security of humanitarian personnel. Already too many of them had disappeared, or had been injured or killed.

7. **Ms. Šimonović** (Croatia) said that Croatia was still bearing the burden of hundreds of thousands of refugees and displaced persons who had fled from areas in which homes had been destroyed and infrastructure devastated. As the High Commissioner had stressed, greater political will and more material resources were needed to create conditions whereby minority returns were accepted by local communities. It was essential to promote rehabilitation and reconciliation so as to allow the voluntary return of 1.8 million displaced persons. Her Government, despite immense difficulties, had therefore focused its efforts on confidence-building activities, through which significant results had been achieved.

8. In 1998, the Croatian authorities had taken over from the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES). In April 1997, in preparation for that event, her Government had signed with UNTAES and UNHCR an agreement on two-way return and, in October 1997, it had adopted a programme for the establishment of trust, the acceleration of return and the normalization of living conditions in the war-affected regions of the Republic of Croatia. In addition, in June 1998, the Croatian State Parliament had endorsed a programme for the return and accommodation of refugees, displaced persons and resettled persons, based on the inalienable right of return of all Croatian citizens and all persons who could be considered refugees under the 1951 Geneva Convention, and the equality of rights of all returnees.

9. Between autumn 1995 and October 1998, some 194,000 refugees and displaced persons had returned to Croatia, and over 110,000 persons were still waiting to return. In order to find lasting solutions to the problem, her Government, in October 1998, had adopted a continuing reconstruction programme which complemented its programme for return and aimed to attract investment and encourage the social and economic development of the affected regions. For that purpose, it was organizing a conference for reconstruction and development in December 1998, with the support of the international community. The concepts of international solidarity and burden-sharing in

protecting refugees and internally displaced persons were of the utmost importance to Croatia.

10. **Mr. Nazhy** (Egypt) said that the growing number of conflicts in recent years had given rise to increasing flows of refugees and displaced persons, to whom the international community must provide assistance and protection. There must be strict compliance with the principle of voluntary return, which was the foundation of the work of UNHCR, and persons responsible for violations of the rights of refugees and displaced persons must be brought to justice. The success of UNHCR depended on the political will of the international community and respect by States of their obligations. The problem of refugees, repatriated persons and displaced persons must be viewed in a regional and international context; cooperation and coordination between the countries concerned and the specialized agencies of the United Nations were essential conditions for a lasting solution and the resettlement of refugees.

11. The situation of refugees and displaced persons in Africa and the Middle East remained a source of concern for the international community. The repatriation of those refugees, including Palestinian refugees, in security and dignity, and compensation for the loss of their property, must be at the forefront of the priorities of the United Nations. The international community must step up its efforts to resolve those problems, which not only impeded sustainable development but also threatened the stability and security of States, particularly countries of asylum.

12. It was essential to strengthen the material and human resources of international humanitarian institutions and to prevent parties to conflicts from using the refugee problem for political purposes. In addition, freedom of access must be ensured to zones sheltering refugees, and an integrated approach must be taken to humanitarian action, taking into account the political, economic, social and military dimensions of conflicts, in coordination with all the parties involved in humanitarian action.

13. **Mr. Yacoubou** (Benin) said that one of the most appalling violations of human rights was to force individuals or entire populations to leave their countries and homes in order to survive, particularly since refugees, once they arrived in the country of asylum, were sometimes threatened with refoulement or repatriation.

14. It was therefore the duty of the international community to ensure their protection, in accordance with the 1951 Convention and 1967 Protocol relating to the Status of Refugees. Benin welcomed the technical cooperation mechanisms and the strategies and programmes of action established by the United Nations system, particularly UNHCR, which had made it possible to find some lasting solutions to the many problems faced by refugees.

15. Benin, which since 1990 had been engaged in a process of democratization, had admitted a large number of refugees from Africa and, with technical assistance from UNHCR, had greatly improved their protection. In particular, it had signed an agreement with UNHCR on a plan for the resettlement of 240 refugees which would enable the beneficiaries to escape the insecurity and difficulties of integration they had faced in their first country of asylum.

16. Since human rights violations were one of the main causes of refugee movements, in order to prevent those exoduses it was essential to promote respect for human rights. Protecting and assisting refugees without trying to eliminate the causes of the problem only aggravated and perpetuated the phenomenon.

17. **Mr. Ka** (Senegal) said that the refugee problem was particularly serious in Africa: in 1996, there had been conflicts taking place in no less than 14 of Africa's 53 countries; the post-conflict situations were not conducive to refugees' returning and the Geneva Conventions and OAU conventions were not always observed; and there were often not enough human, material, logistical and financial resources available to cope with such situations.

18. It was clear in the Secretary-General's report entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa" (A/53/871–S/1998/318) that prevention was better than cure: the recommendations in the report should be put into effect and strong support should be given to conflict-prevention mechanisms. Also, the principle of the neutrality of humanitarian activities must be reaffirmed and the independence and safety of humanitarian personnel must be respected.

19. In that spirit, the Government of Senegal was collaborating in setting up humanitarian and other safe corridors to help emergency assistance get to the civilian population in Guinea-Bissau. Thousands of people had been evacuated to Dakar that way by the Senegalese Navy. Also, cooperation by the United Nations Development Programme (UNDP), the Office of the High Commissioner for Refugees (UNHCR), the United Nations Population Fund (UNFPA), the United Nations Children's Fund (UNICEF), the World Food Programme (WFP) and the United Nations Office for the Coordination of Humanitarian Affairs had made it possible to bring help to Guinea-Bissau's civilian population immediately. It was to be hoped that the signing of the Abuja Peace Accord on 1 November 1998 would make it possible for the refugees to return home quickly. It was to be hoped

also that the Sierra Leonean and Liberian refugees and displaced persons would also be able to return to their countries as soon as possible.

20. The plight of refugee children was a matter of particular concern. UNHCR should continue to view its activities in favour of children as a high priority, but not to the exclusion of women and older persons, and should strengthen its cooperation with UNICEF, the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies and other interested non-governmental organizations.

21. Regional and subregional organizations could also play an important role. In Africa, OAU was stepping in more and more to resolve humanitarian crises, in cooperation with UNHCR in particular. UNHCR should strengthen its cooperation with OAU not only to help refugees and displaced persons, but also to improve the quality of information about conflicts in Africa. UNHCR was already participating in meetings of the OAU Commission on Refugees and was supporting the holding of an African Ministerial meeting in December 1998 in Khartoum.

22. The summit meeting of the Economic Community of West African States had been very favourable towards the plan to hold a conference on refugees in West Africa in collaboration with UNHCR. His delegation believed it essential that, as the Secretary-General had recommended in his report entitled "Assistance to refugees, returnees and displaced persons in Africa" (A/53/328), individuals who did not qualify for international protection should not find sanctuary in refugee camps. They should be disarmed by the host country to ensure that the refugees were protected, the camps were secure, and international humanitarian law was respected and to guarantee the security of the countries concerned.

23. **Ms. Al-Hamami** (Yemen) said that her delegation believed that international solidarity must be strengthened during the coming century to settle disputes and cope with the aftermath of natural disasters, which were the principal reason for the population movements which created enormous socioeconomic problems in host countries. There was an obligation to come to the aid of developing countries that were hosting refugees.

24. The ethnic conflicts in the Horn of Africa had caused the influx of thousands of refugees of all nationalities into Yemen, including about 60,000 Somalis, whereas the repatriation of thousands of Yemenis consequent on the Gulf War had increased unemployment and had cost Yemen a major source of foreign exchange. Despite all its economic and social problems, Yemen was doing everything in its power to help the refugees, whose care was the direct responsibility of the Vice-President, who collaborated with UNHCR.

25. To mitigate the humanitarian problem, the international community, international and regional organizations, funding sources and governmental and non-governmental organizations should step up their assistance for refugees, provide UNHCR with more resources and share the burden on developing host countries. The refugee problem could be solved only by repatriating refugees and reintegrating them into their home societies, which required coordination of efforts by all parties concerned, political settlement of disputes and international cooperation.

26. **Mr. Koziy** (Ukraine) said that his Government shared the concern of the United Nations High Commissioner for Refugees occasioned by the scale of the movements of refugees and displaced persons brought about by human rights violations, armed conflicts and inter-ethnic tensions. Given that most countries had multi-ethnic populations, protecting rights, particularly the rights of minorities, was a guarantee of societies' stability.

27. The Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, which had highlighted the complexity of the migratory processes, had been a display of international solidarity in that field.

28. By meeting to study the progress made with respect to the Programme of Action adopted by the Conference, the Steering Group had become a very useful vehicle for pan-European and international dialogue on humanitarian issues. The Group had paid special attention to the problems of formerly deported persons. The Ukrainian Government supported the Steering Group's call for the Programme of Action to be implemented in a more dynamic and country-specific manner and for it to enjoy real national and international support. The follow-up to the Regional Conference was no simple, technical operation; it must also promote international security and stability by appropriate control of migratory flows.

29. Cooperation between UNHCR, UNDP, the International Organization for Migration (IOM), the Organization for Security and Cooperation in Europe (OSCE) and the Ukrainian Government had made it possible to find solutions to the problem of the deported populations, including a return to the Crimea. Amongst the initiatives taken as part of the Programme of Action, he highlighted the Experts Group meeting on the freedom of movement and

choice of place of residence held in Kiev in December 1997 and the international donor conference on the resettlement of former deportees returning to the Autonomous Republic of Crimea, also held in Kiev in June 1998. Since the previous session of the General Assembly, Ukraine had taken legislative, social and cultural measures to facilitate the reintegration into Ukrainian society of about 260,000 former deportees.

30. Moreover, in recent years, his country had granted refugee status to some 3,000 people from neighbouring countries, and Asian and African countries torn by armed conflicts and inter-ethnic tensions. It had adopted a number of laws on immigration which, in the view of international experts, met international standards relating to refugees. Ukraine was thus preparing for accession to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees.

31. Because of its geographical location, Ukraine was used as a transit country for illegal immigration to Western Europe. Such transit constituted a serious threat to the security of border towns and regions. Therefore, the efforts of the International Organization for Migration to assist Ukraine in establishing institutional structures to manage migratory movements were most welcome.

32. In view of the importance of UNHCR action, all Member States should give UNHCR all the support it needed to accomplish its mission.

33. **Mr. Suh Dae-won** (Republic of Korea) said his delegation regretted that, despite the commendable efforts of UNHCR, there were still over 22 million refugees in the world today. No end seemed to be in sight because of the ongoing conflicts in Kosovo, Sierra Leone and the Democratic Republic of the Congo.

34. The international community must explore ways of solving the refugee problem, especially since the massive influx of refugees created serious social, economic, environmental and political problems in the host countries and in neighbouring countries. He welcomed the fact that the Executive Committee had devoted its forty-ninth session to the theme of international solidarity and burden-sharing. He also welcomed the efforts of UNHCR to promote regional and international cooperation under programmes such as the emergency management training workshops.

35. International solidarity and burden-sharing should be more effective and more flexible. It was not enough to provide assistance to refugees; host countries and home countries should also be given assistance. Cooperation and coordination among international organizations and non-governmental organizations that dealt with human rights, peacekeeping and development matters were essential to ensure a smooth transition from reintegration to reconstruction. Moreover, especially in the case of ethnic or religious conflicts, no durable solutions could be found without strong political will.

36. The abduction of Mr. Vincent Cochetel, head of the UNHCR Office in Vladikavkaz, had clearly demonstrated the security problems facing humanitarian staff. All parties concerned should guarantee the safety of the personnel of UNHCR and other humanitarian agencies, who often risked their lives in the field. During its presidency of the Security Council, the Republic of Korea had initiated an open debate on the issue of protection for humanitarian assistance to refugees and others in conflict, which had helped to heighten the international community's awareness of that complex issue.

37. Only international solidarity and burden-sharing could bring about a durable solution to the humanitarian and political questions associated with refugees. His Government had increased its financial contribution to UNHCR fifteen-fold from $100,000 in 1994 to $1.5 million in 1997. Despite its current financial difficulties, it intended to sustain that effort and to continue to work closely with UNHCR and other international organizations in order to find a comprehensive solution to the plight of refugees.

38. **Mr. Nikiforov** (Russian Federation) said that one of his country's priorities was to resolve the issue of population movements in the Russian Federation and in the other countries of the Commonwealth of Independent States (CIS) and to implement, to that end, the Programme of Action adopted at the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, which had been held at Geneva in 1996. Since that Conference, his Government had been striving to strengthen human rights protection mechanisms and to improve its legislation on refugees and other categories of migrants. It had also strengthened its system of immigration control and improved health conditions for migrants. Despite those efforts, the presence of refugees and migrants continued to pose serious problems.

39. Since 1992, over 5 million people from CIS countries and the Baltic States had resettled in the Russian Federation. As at 1 July 1998, 173,000 of them had obtained refugee status and 966,000 the status of involuntarily displaced persons. Recent trends in population flows from countries of the former Soviet Union showed some stability. However,

considerable migratory flows transited through the Russian Federation: there were currently over 700,000 aliens with irregular status on the territory of the Russian Federation and their numbers continued to swell. The international community must help States affected by such problems, especially countries such as his own, which were facing economic and financial difficulties.

40. He welcomed the report of the United Nations High Commissioner for Refugees (A/53/12), which clearly indicated that the institutional arrangements and the framework provided by the Conventions permitted the High Commissioner to respond effectively to humanitarian crises and to implement a coherent policy to provide assistance to persons forced to flee their places of residence. His Government was grateful to UNHCR, especially its representative in Moscow, to IOM and to OSCE for supporting the implementation of its programmes. It also thanked the donor countries, international organizations and non-governmental organizations that had contributed to the drawing up of the Programme of Action adopted by the Conference.

41. Unfortunately, the international community had not devoted sufficient attention to the issue of population movements in the Commonwealth of Independent States and, as the Secretary-General's report on the follow-up to the Regional Conference (A/53/413) indicated, the efforts undertaken by his country and other CIS countries to secure the support of donor countries were not yielding the expected results. An international solidarity mechanism should be established to resolve the issue of refugees. The draft resolution to be introduced by his delegation in the Third Committee, with support from other delegations, should be adopted as it constituted a step forward in the implementation of the decisions of the Conference.

42. **Mr. Jovanović** (International Committee of the Red Cross) said that the most elementary humanitarian rules were violated in situations of armed conflict and internal violence. The situation was particularly tragic in the case of ethnic conflicts, where civilians became the targets of combatants, and in so-called "destructured" conflicts characterized by the disintegration of State structures, the collapse of chains of command and the rise in crime masquerading as political action.

43. Under article 3 of the four Geneva Conventions, persons taking no active part in the hostilities — including internally displaced persons, refugees and returnees — were to be treated humanely. Protocol II Additional to those Conventions prohibited forced displacements and established the right of the victims to assistance. The observance of international humanitarian law should prevent population movements to a large extent and guarantee the safety of those who were nevertheless forced to flee their homes.

44. ICRC, in cooperation with the national Red Cross and Red Crescent societies, was making every effort to help civilians remain in their places of residence and to protect millions of "internal refugees". ICRC attached great importance to the guiding principles relating to internally displaced persons, which, although not legally binding, could help to promote the norms of international humanitarian law in that area.

45. Assistance to displaced persons required effective coordination. ICRC therefore welcomed the initiative taken by the Office for the Coordination of Humanitarian Affairs to establish a platform on the question of displaced persons and to launch a database. ICRC coordinated its activities with those of UNHCR in order to optimize the utilization of resources. That had particularly been the case in Kosovo, Sri Lanka and Colombia.

46. He deplored hostage-taking, which could impede relief organizations from carrying out their mission. It was vital to ensure the safety of humanitarian personnel.

47. **Mr. Bhatti** (Pakistan) said that the number of refugees assisted by UNHCR had decreased only marginally in the past year and that the conflicts in Kosovo, West Africa and the Great Lakes region had generated fresh large-scale population displacements. Ideally, all refugees should return voluntarily to their homelands. Assistance from the international community was necessary in order to create an enabling environment for such repatriation: the restoration of peace and security, the reconstruction of infrastructure, mine clearance and the creation of acceptable living and working conditions.

48. Refugees placed a heavy burden on host countries and created serious administrative, economic, social and environmental problems. Support from the international community was also necessary in that regard, if only to encourage host countries to continue to receive refugees.

49. He lamented the increasingly restrictive interpretation of the principle of the right to asylum, even in the developed countries. International principles on refugee protection must be applied by all countries.

50. Considering the proliferation of refugee populations in various parts of the world, the choice of "burden-sharing" as the theme of the forty-ninth session of the Executive Committee of the High Commissioner's Programme was extremely relevant for a number of reasons: no single country could deal with mass outflows of populations;

refugee protection systems were hindered by the lack of an equitable system of burden-sharing; and, by accidents of geography, refugees were concentrated in certain developing countries. Refugee protection was nonetheless an international responsibility which must be fulfilled at all phases.

51. Pakistan had hosted 3.2 million Afghan refugees. That was the largest refugee population in the world. In the first two years, it had received no assistance. Subsequently, the international community, UNHCR and various United Nations bodies had provided support; however, that support had been drastically reduced in recent times, even though more than 1.2 million Afghans still lived in Pakistan.

52. Pakistan could not integrate its refugee population; countries which suggested that it should were, moreover, those that were notorious for their policies of refoulement. The international community should help UNHCR in preparing plans for the repatriation and reintegration of refugees. It was unconscionable that ideological or political differences with the Kabul Government, whatever they might be, should affect women, children and the disabled. International assistance for reconstruction and rehabilitation of refugees in Afghanistan would facilitate the restoration of peace and multi-ethnic harmony. That would probably be the best option, both in humanitarian and in political terms.

53. **Mr. El-Kouhene** (World Food Programme) said that the role of WFP had evolved considerably since its founding in 1963. WFP, which had originally used food aid almost exclusively in support of development projects, had gradually expanded its assistance to refugees and, in 1979–1980, had begun to work closely with UNHCR in order to provide assistance to Afghan refugees and to Khmers fleeing Cambodia. Between 1986 and 1992, the number of persons receiving assistance from WFP had increased by 400 per cent. Refugee and other emergency relief work currently accounted for more than half of its activities and nearly 70 per cent of its expenditures. In 1997, WFP had provided assistance to nearly 4 million refugees and returnees, 15 million internally displaced persons and persons in distress and 10 million natural-disaster victims; it had allocated $900 million to emergency assistance and $327 million to development programmes. It could operate anywhere along the relief-development continuum, which was the basis for its success.

54. WFP activities on behalf of refugees mainly involved meeting their food needs and helping them to obtain employment, which also helped to relieve host Governments of some of the burden refugees placed on infrastructure. WFP was making every effort to contain the environmental impact of large refugee inflows. It was also making every effort to reintegrate returnees. It was now able to intervene effectively in all situations. Thus, through its development projects in Latin America, it had sufficient food stocks in the region to respond immediately to the victims of Hurricane Mitch. WFP was also doing its utmost, within the context of emergency assistance, to restore infrastructure (roads, railroads and port facilities) in order to facilitate the movement of food and further recovery activities, for example, in Mozambique, Angola and the Caucasus.

55. As already stressed by UNHCR, ensuring the transition from a situation of conflict to one of peace was a very complex undertaking, and operational synergies among the various United Nations bodies that dealt with questions of peace, security, development and humanitarian affairs must be strengthened.

56. WFP had had a special relationship with UNHCR since the signing of their first memorandum of understanding in 1985. Since 1992, WFP had been responsible for the mobilization of basic food commodities and the funds for their external transport in virtually all UNHCR refugee assistance operations. It was also responsible for the transport of basic commodities to extended delivery points within recipient countries. Another memorandum of understanding had been signed in 1997 concerning measures for assessing the number and needs of beneficiaries and for monitoring the food pipeline. Since then, a number of initiatives had been taken, particularly the elaboration of a tripartite agreement among UNHCR, WFP and their implementing partners and the establishment of guidelines for estimating food requirements, for the terms of reference of joint food needs assessment missions and for selective feeding.

57. On the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights, WFP reaffirmed the fundamental right of each person to be free from hunger. It was particularly concerned with the situation of individuals displaced as a result of natural or man-made disasters. The previous year, it had provided food aid to approximately 15 million out of some 20 to 25 million internally displaced persons, the bulk of whom, moreover (70 per cent), were women and children. Lastly, WFP reaffirmed the importance of the guiding principles relating to internally displaced persons, which focused, in particular, on the most vulnerable categories, such as expectant mothers, mothers of young children, women heads of household and unaccompanied minors. It had taken the initial step of disseminating those principles to its staff and Executive Board.

The meeting rose at 11.45 a.m.